

AMENDMENT UNDER 37 CFR 1.116  
U.S. Appln. No. 10/043,102

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

Claim 1 (currently amended): A niobium powder having a nitrogen content of at least about 500 ppm by weight and not more than about 7,000 ppm by weight, and having a mean particle diameter of at least about 0.2  $\mu\text{m}$  and less than about 3  $\mu\text{m}$ , which contains as impurity at least one element M selected from the group consisting of iron, nickel, cobalt, silicon, sodium, potassium and magnesium in an amount such that each element M is not more than 100 ppm by weight, or the total amount of the element M is not more than 350 ppm by weight, and

wherein the niobium powder has a CV value of at least 89,600 (CV/g).

Claim 2 (original): The niobium powder according to claim 1, which has a mean particle diameter of at least about 0.5  $\mu\text{m}$  and less than about 2  $\mu\text{m}$ .

Claim 3 (original): The niobium powder according to claim 1, which has a nitrogen content of at least about 1,000 ppm by weight and not more than about 3,000 ppm by weight.

Claim 4 (withdrawn): A sintered body produced from a niobium powder, which has a specific leakage current index of not more than about 400 [ $\text{pA}/(\mu\text{F}\cdot\text{V})$ ].

Claim 5 (withdrawn): The sintered body according to claim 4, which has a specific leakage current index of not more than about 200 [ $\text{pA}/(\mu\text{F}\cdot\text{V})$ ].

Claim 6 (withdrawn): A sintered body produced from a niobium powder, said niobium powder having a nitrogen content of at least about 500 ppm by weight and not more than about

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7,000 ppm by weight, and having a mean particle diameter of at least about 0.2  $\mu\text{m}$  and less than about 3  $\mu\text{m}$ .

Claim 7 (withdrawn): The sintered body according to claim 6, wherein said niobium powder has a mean particle diameter of at least about 0.5  $\mu\text{m}$  and less than about 2  $\mu\text{m}$ .

Claim 8 (withdrawn): The sintered body according to claim 6, wherein said niobium powder has a nitrogen content of at least about 1,000 ppm by weight and not more than about 3,000 ppm by weight.

Claim 9 (withdrawn): The sintered body according to claim 6, wherein said niobium powder contains as impurity at least one element M selected from the group consisting of iron, nickel, cobalt, silicon, sodium, potassium and magnesium in an amount such that each element M is not more than 100 ppm by weight, or the total amount of the elements M is not more than 350 ppm by weight.

Claim 10 (withdrawn): The sintered body according to claim 6, which has a specific leakage current index of not more than about 400 [ $\text{pA}/(\mu\text{F}\cdot\text{V})$ ].

Claim 11 (withdrawn): The sintered body according to claim 6, which has a specific leakage current index of not more than about 200 [ $\text{pA}/(\mu\text{F}\cdot\text{V})$ ].

Claim 12 (withdrawn): A capacitor comprising (i) an electrode, wherein the electrode is a sintered body produced from a niobium powder, (ii) a counter electrode, and (iii) a dielectric intervening between the two electrodes; said niobium powder having a nitrogen content of at least about 500 ppm by weight and not more than about 7,000 ppm by weight, and having a mean particle diameter of at least about 0.2  $\mu\text{m}$  and less than about 3  $\mu\text{m}$ .

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Claim 13 (withdrawn): The capacitor according to claim 12, wherein said niobium powder has a mean particle diameter of at least about 0.5  $\mu\text{m}$  and less than about 2  $\mu\text{m}$ .

Claim 14 (withdrawn): The capacitor according to claim 12, wherein said niobium powder has a nitrogen content of at least about 1,000 ppm by weight and not more than about 3,000 ppm by weight.

Claim 15 (withdrawn): The capacitor according to claim 12, wherein said niobium powder contains as impurity at least one element M selected from the group consisting of iron, nickel, cobalt, silicon, sodium, potassium and magnesium in an amount such that each element M is not more than 100 ppm by weight, or the total amount of the elements M is not more than 350 ppm by weight.

Claim 16 (withdrawn): The capacitor according to claim 12, wherein said sintered body has a specific leakage current index of not more than about 400 [ $\text{pA}/(\mu\text{F}\cdot\text{V})$ ].

Claim 17 (withdrawn): The capacitor according to claim 12, wherein said sintered body has a specific leakage current index of not more than about 200 [ $\text{pA}/(\mu\text{F}\cdot\text{V})$ ].

Claim 18 (withdrawn): The capacitor according to claim 12, wherein said dielectric is formed on a surface of the sintered body.

Claim 19 (withdrawn): The capacitor according to claim 12, wherein said dielectric is composed of niobium oxide.

Claim 20 (withdrawn): The capacitor according to claim 12, wherein said dielectric is composed of niobium oxide formed by electrolytic oxidation on a surface of the sintered body.